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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

| | | |
|---------------------------|---|----------------------------------|
| UNITED STATES OF AMERICA, |) | Nos. CR 11- 00558 - LHK |
| |) | CR 11- 00559 - LHK |
| Plaintiff, |) | CR 11- 00560 - LHK |
| |) | CR 11- 00706 - LHK |
| vs. |) | |
| |) | JOINT STIPULATION AND REQUEST TO |
| MICHAEL RUELAS and |) | CONTINUE SENTENCING HEARING |
| LORENZO ISRAEL GARCIA, |) | DATE TO FEBRUARY 13, 2013; AND |
| |) | PROPOSED ORDER |
| Defendant. |) | |

STIPULATION

Defendant Michael Ruelas, by and through Assistant Federal Public Defender Varell L. Fuller; Lorenzo Israel Garcia, by and through Counsel Jack Gordon; and the United States, by and through Assistant United States Attorney Thomas M. O'Connell, hereby stipulate and agree, subject to the Court's approval, that the sentencing hearing presently set for Wednesday, December 13, 2012, at 9:00 a.m., be continued to Wednesday, February 13, 2013, at 9:00 a.m.

Defendants Michael Ruelas and Lorenzo Israel Garcia have pled guilty and a sentencing hearing is presently set for December 13, 2012, as to both defendants. The parties respectfully ask that the sentencing hearing date be continued to help facilitate the completion of the

presentence report investigation and to permit the parties additional time necessary to prepare for the sentencing hearing. United States Probation Officer Benjamin Flores, who has been assigned to conduct the presentence investigation, has been consulted about the requested continuance and has no objection. The parties further agree that the deadlines by which the United States Probation Office must disclose the draft and final pre-sentence reports shall be adjusted according to the new February 12, 2013, sentencing date.

Dated: November 27, 2012

_____/s/_____
VARELL L. FULLER
Assistant Federal Public Defender
Counsel for Michael Ruelas

Dates: November 27, 2012

_____/s/_____
JACK GORDON
Counsel for Lorenzo Israel Garcia

Dated November 27, 2012


_____/s/_____
THOMAS M. O' CONNELL
Assistant United States Attorney

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~~PROPOSED~~ ORDER

GOOD CAUSE APPEARING, and by stipulation of the parties, it is hereby ordered that the sentencing hearing date set for Wednesday, December 12, 2012, at 9:00 a.m. is continued to Wednesday, February 13, 2013, at 9:00 a.m., and the dates by which United States Probation must disclose the draft and final pre-sentence reports shall be adjusted accordingly.

Dated: 11/29/12



THE HONORABLE LUCY H. KOH
United States District Court Judge